



Atty. Dkt. No. 029815-0105

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Sweeney, Patrick J.

Title: MODULAR CANNULATED  
TOTAL JOINT PROSTHESIS

Appl. No.: 10/730,606

Filing Date: 12/08/2003

Examiner:

Art Unit: 3738

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Beverly Hopkins

(Printed Name)

(Signature)

May 6, 2004

(Date of Deposit)

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

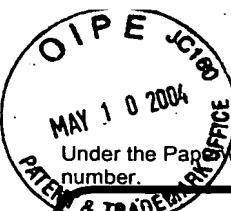
Respectfully submitted,

Date 5/6/04

By 

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/730,606
Date Submitted: May 6, 2004				Filing Date	12/08/2003
(use as many sheets as necessary)				First Named Inventor	Patrick J. Sweeney
Sheet	1	of	2	Group Art Unit	3738
				Examiner Name	
				Attorney Docket Number	029815-0105

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
A1	2003/0149487	A1		Doubler et al.	08/07/2003	
A2	2003/0149486	A1		Huebner	08/07/2003	
A3	2003/0088316	A1		Ganjianpour	05/08/2003	
A4	2003/0074078	A1		Doubler et al.	04/17/2003	
A5	2003/0014119	A1		Capon et al.	01/16/2003	
A6	2002/0183849	A1		Grusin et al.	12/05/2002	
A7	2002/0177901	A1		Howie	11/28/2002	
A8	2002/0151984	A1		White	10/17/2002	
A9	2002/0133234	A1		Sotereanos	09/19/2002	
A10	6,428,578	B2		White	08/06/2002	
A11	2002/0045950	A1		Draenert	04/18/2002	
A12	2002/0038148	A1		Fernandez et al.	03/28/2002	
A13	2002/0004685	A1		White	01/10/2002	
A14	2001/0037152	A1		Rockwood, Jr.	11/01/2001	
A15	6,238,436	B1		Lob et al.	05/29/2001	
A16	6,197,063	B1		Dews	03/06/2001	
A17	5,906,644			Powell	05/25/1999	
A18	5,888,206			Lob et al.	03/30/1999	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
						T <sup>6</sup>

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.				T <sup>6</sup>

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Sheet	2	of	2	Attorney Docket Number	029815-0105

## **U.S. PATENT DOCUMENTS**

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